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9	IN THE UNITED STATES DISTRICT COURT						
10	FOR THE NORTHERN DISTRICT OF CALIFORNIA						
11	TYSHON MALEKE HARMON,	)	No. C 1	0-4053 LHK (PR	)		
12	Plaintiff,	)	ORDER DENYING				
13	v.	)	<ul><li>) HAVE SALINAS VALLEY STATE</li><li>) PRISON PROVIDE ADDRESSES</li></ul>				
14	DOCTOR RICHARD MACK, et al.,	)	) UNSER'	CORD; DISMISS RVED DEFENDA	NTS		
15	Defendants.	)		OUT PREJUDICE	,		
16		)	(Доске	t No. 74)			
17	Plaintiff, a state prisoner proceeding pro se, filed a civil rights complaint pursuant to 42						
18	U.S.C. § 1983 alleging that various Salinas Valley State Prison ("SVSP") officials violated his						
19	constitutional rights. On May 24, 2011 the Court issued its first order directing Plaintiff to						
20	locate and provide sufficient location information for five unserved Defendants so that the						
21	United States Marshal could effect service on them. On October 6, 2011, after a series of						
22	requests for extension of time, and motions for the Court to compel others to produce addresses,						
23	Plaintiff filed a motion to compel Salinas Valley State Prison to provide the addresses on record						
24	of the unserved Defendants. In this circuit, if the Marshal is unable to effectuate service						
25	through no fault of his own because the plaintiff failed to provide sufficient information, or						
26	because the defendant is not where plaintiff alleges, and the plaintiff is informed of this lack of						
27	information, plaintiff must seek to remedy the situation or face dismissal. See Walker v. Sumner,						
28							
	Order Denying Motion to Have Salinas Valley Defendants without Prejudice P:\pro-se\sj.lhk\cr.10\Harmon053misc3	State Priso	on Provide	Addresses on Record	l; Dismissing Unserved		

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1	14 f.3d 1415, 1421-22 (9th Cir. 1994), overruled on other grounds by Sandin v. Connor, 515					
2	U.S. 472 (1995) (prisoner failed to show cause why prison official should not be dismissed under					
3	Rule 4(m) because prisoner did not prove that he provided Marshal with sufficient information to					
4	serve official or that he requested that official be served). Thus, Plaintiff's motion to compel is					
5	DENIED.					
6	On September 19, 2011, the court issued an order granting Plaintiff one more extension					
7	of time to locate the unserved Defendants. The Court cautioned Plaintiff that he "must provide					
8	the Court with accurate and sufficient information for Defendants Kachare, Remington,					
9	Bowman, Rodriguez, and Moses such that the Marshal is able to effect service upon them," or					
10	face dismissal of those Defendants. More than thirty days from the date of that order have					
11	passed, and Plaintiff has not provided the Court with any further identifying or location					
12	information for any of the five unserved Defendants.					
13	Accordingly, Defendants Kachare, Remington, Bowman, Rodriguez, and Moses are					
14	DISMISSED from this action without prejudice.					
15	IT IS SO ORDERED.  DATED: 11/22/11					
16	DATED: 11/22/11 LUCY H. KOH					
17	United States District Judge					
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